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December 15, 2009

0029

The Honorable Julius Genachowski
Chairman
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski:

I am writing regarding the ongoing dispute between Mediacom Communications and Sinclair Broadcast Group. As you may be aware, cable customers in a dozen states are facing the risk of losing access to channels affiliated with national broadcast stations as of December 31, 2009 if the two parties fail to achieve a retransmission consent agreement.

Mediacom has filed a complaint with the Commission asserting that Sinclair is not negotiating in good faith. I take no position here on whether Mediacom's petition has merit or not. Rather, I am writing to encourage the Commission to render a timely decision on Mediacom's complaint in order to minimize the negative impact on consumers and to ensure the efficient operation of the law. A timely determination is important regardless of what finding the Commission may ultimately make. Specifically, the Commission may find that the allegations of a failure of Sinclair to engage in good faith negotiations are unfounded. If this is the outcome, then the two parties must resume hard bargaining to achieve an agreement, and if this fails, then the Commission should consider whether the public interest would be served by ordering mandatory arbitration or other measures to support the resolution of the dispute.

Alternatively, if the Commission were to determine that Sinclair has not engaged in good faith negotiations, then the Commission may need to take immediate steps to assure consumers that television service is not interrupted through no fault of their own. In either scenario, it is vitally important the Commission act upon the Mediacom complaint with sufficient time for the parties to negotiate further in order to protect consumers, such as elderly and low income households, who will likely face significant obstacles to accessing alternatives.

Thank you for your attention to this matter.

Sincerely,



Edward J. Markey

12 JAN 2010 RCU/D



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 2, 2010

The Honorable Edward J. Markey
U.S. House of Representatives
2108 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Markey:

Thank you for your letter concerning the retransmission negotiations, in particular the negotiations involving carriage of local broadcast television stations owned or operated by Sinclair Broadcast Group, Inc., on cable television systems operated by Mediacom Communications Corporation.

I welcomed the announcement on January 7, 2010, that Sinclair and Mediacom had reached a retransmission consent agreement governing the carriage of local broadcast television stations owned or operated by Sinclair. I have been informed that the one-year agreement authorizes the continued carriage of the signals of 22 television stations owned or operated by Sinclair in 15 television markets to more than 600,000 Mediacom subscribers. The agreement also provided that Mediacom would withdraw the retransmission consent complaint that it had filed with the Commission, which now has occurred. Most important, I was pleased that the parties chose to continue program carriage under interim agreements, and that consumers were not impacted as final negotiations were underway. Similarly, Time Warner Cable and Fox – also facing a year-end deadline – were able to conclude a retransmission consent agreement without any disruption of service to consumers.

Please be assured that the Commission will continue to monitor issues related to retransmission consent negotiations between broadcasters and MVPDs, and remains prepared to implement the Communications Act and its good faith rules when a broadcaster or MVPD files a retransmission consent complaint.

I appreciate the opportunity to learn of your concerns about this important matter. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Julius Genachowski", written over a horizontal line.

Julius Genachowski